

## REAL ESTATE APPRAISER EXAMINING BOARD[193F]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 543D.5, the Iowa Real Estate Appraiser Examining Board hereby gives Notice of Intended Action to amend Chapter 11, “Continuing Education,” Iowa Administrative Code.

The proposed amendments to Chapter 11 would allow all continuing education to be taken via distance education, and they also clarify the amount of time a student must be present for live instruction in order to gain educational credit. Iowa Code chapter 543D does not allow more than 50 percent of the required instructional hours to be taken through correspondence and home-study courses. Home-study and correspondence programs, as those terms relate to Iowa Code section 543D.16(2), refer to self-study programs which are not generally approved by the Appraisal Qualifications Board for continuing education credit because such courses do not usually provide a reciprocal environment where the student has verbal or written communication with the instructor. The statutory limitation on correspondence and home-study courses does not apply to interactive programs that are approved by the Appraisal Qualifications Board (AQB) and AQB-approved delivery mechanisms. The Appraiser Examining Board in recent months has received many waiver requests for the required classroom hours.

Consideration will be given to all written suggestions or comments on the proposed amendments received no later than 4:30 p.m. on January 15, 2013. Comments should be addressed to Toni Bright, Iowa Appraiser Examining Board, 1920 SE Hulsizer Road, Ankeny, Iowa 50021. E-mail may be sent to [toni.bright@iowa.gov](mailto:toni.bright@iowa.gov).

A public hearing will be held on January 15, 2013, at 8:30 a.m. in the Second Floor Professional Licensing Small Conference Room, 1920 SE Hulsizer Road, Ankeny, Iowa, at which time persons may present their views on the proposed amendments either orally or in writing. At the hearing, any person who wishes to speak will be asked to give the person’s name and address for the record and to confine remarks to the subject of the proposed amendments.

These amendments do not have any fiscal impact to the state of Iowa.

These amendments are subject to waiver or variance pursuant to 193F—Chapter 11.

After analysis and review of this rule making, no direct impact on jobs has been found, although a positive impact could exist. This rule making makes the renewal of a credential for associate or certified appraisers more flexible and helps them take their required continuing education in a way that reduces the burden on small businesses.

These amendments are intended to implement Iowa Code chapters 17A, 272C, 543D, and 546.

The following amendments are proposed.

ITEM 1. Amend subrule 11.2(2) as follows:

**11.2(2)** ~~A maximum of 14 of the required 28~~ All continuing education credit hours may be acquired in approved distance education programs.

ITEM 2. Amend subrule 11.2(7) as follows:

**11.2(7)** ~~Successful completion of a continuing education program requires 90 percent attendance that at least 50 minutes of every class hour be attended by the student. Continuing education credits shall not be granted to attendees who are present for less than 90 percent of the scheduled class meeting~~ 50 minutes of every class hour.